

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WILLIAM JONES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO 08-824
	)	Judge Conti
	)	Magistrate Judge Bissoon
SUPT. LOUIS S. FOLINO, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

The civil rights complaint filed by plaintiff William Jones (“plaintiff”) was received by the clerk of court on June 16, 2008, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges. The case was thereafter assigned to Magistrate Judge Cathy Bissoon.

The magistrate judge’s Report and Recommendation, filed on September 11, 2008, recommended that plaintiff’s Motion for a Preliminary Injunction be denied. The parties were allowed ten days from the date of service of the report to file objections. Plaintiff filed objections on September 23, 2008 essentially rearguing the allegations already considered by the magistrate judge. The preliminary injunction must be denied because plaintiff did not show immediate irreparable harm. The harm already occurred . The court notes that to the extent plaintiff is seeking various documents which may be in defendants’ possession, discovery under the Federal Rules of Civil Procedure provides a manner in which documents may be requested.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 14th day of October, 2008,

IT IS HEREBY ORDERED that plaintiff's Motion for a Preliminary Injunction (Doc. 32) is DENIED.

The Report and Recommendation of Magistrate Judge Bissoon, (Doc. 36), dated September 11, 2008, is adopted as the opinion of the court.

s/Joy Flowers Conti  
Joy Flowers Conti  
U.S. District Court Judge

cc:  
WILLIAM JONES  
53578-066  
Federal Correction in Situation - Gilmer  
P.O. Box 6000  
Glenville, WV 26531